

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SENATE BILL 1455

AN ACT

AMENDING SECTION 41-2083, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2002, CHAPTER 104, SECTION 2; AMENDING SECTION 41-2083, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2005, CHAPTER 104, SECTION 1; AMENDING LAWS 2004, CHAPTER 293, SECTION 5, ARIZONA REVISED STATUTES; AMENDING LAWS 2005, CHAPTER 104, SECTION 7, ARIZONA REVISED STATUTES; RELATING TO LOW SULFUR DIESEL FUEL; PROVIDING FOR CONDITIONAL ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-2083, Arizona Revised Statutes, as amended by
3 Laws 2002, chapter 104, section 2, is amended to read:

4 41-2083. Standards for motor fuel; exceptions

5 A. Except as provided in subsections C, D, E, F, G, K, L, M and N of
6 this section, a retail seller or fleet owner shall not store, sell or expose
7 or offer for sale any motor fuel, kerosene, oil or other liquid or gaseous
8 fuel or lubricating oil, lubricant, mixtures of lubricants or other similar
9 products if the product fails to meet the standards specified in this section
10 and in the rules adopted by the director.

11 B. A person shall not misrepresent the nature, origination, quality,
12 grade or identity of any product specified in subsection A of this section or
13 represent the nature, origination, quality, grade or identity of such product
14 in any manner calculated or tending to mislead or in any way deceive.

15 C. After consultation with the director of the department of
16 environmental quality, the standards and test methods for motor fuels shall
17 be established by the director of the department of weights and measures by
18 rule.

19 D. Maximum vapor pressure for gasoline that is supplied or sold by any
20 person and that is intended as a final product for the fueling of motor
21 vehicles in a county with a population of one million two hundred thousand or
22 more persons and any portion of a county contained in area A as defined in
23 section 49-541 shall be 9.0 pounds per square inch from and after September
24 30 through March 31 of each year. Fuel used in motor vehicles at a
25 manufacturer's proving ground or a motor vehicle racing event as defined by
26 section 41-2121 is exempt from this subsection.

27 E. From and after September 30 through March 31 of each year a person
28 shall not supply or sell gasoline that exceeds the ASTM D4814 class A vapor
29 pressure/distillation class ten volume per cent evaporated distillation
30 temperature.

31 F. Maximum vapor pressure for gasoline that is supplied or sold by any
32 person and that is intended as a final product for the fueling of motor
33 vehicles in a county with a population of one million two hundred thousand
34 persons or more and any portion of a county contained in area A as defined in
35 section 49-541 shall be 7.0 pounds per square inch from and after May 31
36 through September 30 of each year. Fuel used in motor vehicles at a
37 manufacturer's proving ground or a motor vehicle racing event as defined by
38 section 41-2121 is exempt from this subsection.

39 G. Exclusively for the purposes of transportation conformity and only
40 if the administrator of the United States environmental protection agency
41 fails to approve the applicable plan required pursuant to section 49-406,
42 maximum vapor pressure for gasoline that is supplied or sold by any person
43 and that is intended as a final product for the fueling of motor vehicles in
44 area B as defined in section 49-541 shall be ten pounds per square inch from
45 and after September 30 through March 31 of each year. Fuel used in motor

1 vehicles at a manufacturer's proving ground or a motor vehicle racing event
2 as defined by section 41-2121 is exempt from this subsection.

3 H. Notwithstanding subsections D, F and G of this section, the
4 director of the department of weights and measures in consultation with the
5 director of the department of environmental quality shall approve alternate
6 fuel control measures that are submitted by manufacturers or suppliers of
7 gasoline and that the directors determine will result in either of the
8 following:

9 1. Motor vehicle carbon monoxide emissions that are equal to or less
10 than emissions that result under compliance with subsection D of this section
11 and section 41-2123. In making this determination, the director of the
12 department of weights and measures and the director of the department of
13 environmental quality shall compare the emissions of the alternate fuel
14 control measure with the emissions of a fuel with a maximum vapor pressure
15 standard as prescribed by this section and with the minimum oxygen content or
16 percentage by volume of ethanol as prescribed by section 41-2123.

17 2. Motor vehicle non-methane hydrocarbon emissions that are equal to
18 or less than the emissions that result under compliance with subsection F of
19 this section. In making this determination, the director of the department
20 of weights and measures and the director of the department of environmental
21 quality shall compare the motor vehicle non-methane hydrocarbon emissions of
22 the alternate fuel control measure with the motor vehicle non-methane
23 hydrocarbon emissions of a fuel that complies with the maximum vapor pressure
24 standard as prescribed by subsection F of this section.

25 I. Any alternate fuel control measures that are approved shall not
26 increase emissions of non-methane hydrocarbons, particulates, carbon monoxide
27 or oxides of nitrogen. Alternate fuel control measures approved pursuant to
28 subsection H of this section and this subsection may be used by any
29 manufacturer or supplier of gasoline unless the approval is rescinded more
30 than one hundred eighty days before the first day of a gasoline control
31 period. Manufacturers and suppliers who use an approved alternate fuel
32 control measure shall annually submit a compliance plan to the director of
33 the department of weights and measures no later than sixty days before the
34 first day of a gasoline control period.

35 J. A person shall not sell or offer or expose for sale diesel fuel
36 grade 1, 2 or 4 as defined in ASTM D975 that contains sulfur in excess of:

37 1. FOR LOW SULFUR DIESEL FUEL, five hundred parts per million ~~for use~~
38 ~~in area A as defined in section 49-541.~~

39 2. FOR ULTRA LOW SULFUR DIESEL FUEL, FIFTEEN PARTS PER MILLION.

40 K. A person shall not sell or offer or expose for sale biodiesel that
41 is not tested or does not meet the specifications established by ASTM D6751
42 or any blend of biodiesel and diesel fuel that is not tested or does not meet
43 the specifications established by ASTM D975 and that contains sulfur in
44 excess of five hundred parts per million for use in area A as defined in
45 section 49-541.

1 L. A person that blends biodiesel that is intended as a final product
2 for the fueling of motor vehicles shall report to the director by the
3 fifteenth day of each month the quantity and quality of biodiesel shipped to
4 or produced in this state during the preceding month. A person who supplies
5 biodiesel subject to this subsection shall report the following by batch:

- 6 1. The percentage of biodiesel in a final blend.
- 7 2. The volume of the finished product.
- 8 3. For neat biodiesel, the results of analysis for those parameters
9 established by ASTM D6751.
- 10 4. For biodiesel blended with any diesel fuel, the results of the
11 analysis of the following motor fuel parameters as established by ASTM D975:
 - 12 (a) Sulfur content.
 - 13 (b) Aromatic hydrocarbon content.
 - 14 (c) Cetane number.
 - 15 (d) Specific gravity.
 - 16 (e) American petroleum institute gravity.
 - 17 (f) The temperatures at which ten per cent, fifty per cent and ninety
18 per cent of the diesel fuel boiled off during distillation.

19 M. The report required by subsection L of this section shall be on a
20 form prescribed by the director and shall contain a certification of
21 truthfulness and accuracy of the data submitted and a statement of the
22 supplier's consent permitting the department or its authorized agent to
23 collect samples and access records as provided in rules adopted by the
24 department. A corporate officer who is responsible for operations at the
25 facility that produces or ships the final product shall sign the report.

26 N. A person shall label dispensers at which biodiesel is dispensed in
27 such a manner as to notify other persons of the volume percentage of
28 biodiesel in the finished product.

29 O. A PERSON SHALL LABEL EACH DISPENSER AT WHICH ULTRA LOW SULFUR
30 DIESEL FUEL IS DISPENSED IN SUCH A MANNER AS TO INFORM THE CUSTOMER OF THE
31 SULFUR CONTENT OF THE DIESEL FUEL BEING DISPENSED. THE LABEL SHALL BE
32 AFFIXED TO THE UPPER SIXTY PER CENT OF EACH FACE OF THE DISPENSER ADJACENT TO
33 THE PRODUCT IDENTIFICATION LABEL, CONTAIN BLOCK LETTERS OF NO LESS THAN
34 TWENTY-FOUR POINT BOLD-FACED TYPE, BE PRINTED IN A COLOR THAT CONTRASTS WITH
35 THE BACKGROUND AND STATE:

36 ULTRA-LOW SULFUR HIGHWAY DIESEL FUEL (15 PPM SULFUR MAXIMUM)
37 REQUIRED FOR USE IN ALL MODEL YEAR 2007 AND LATER HIGHWAY DIESEL
38 ENGINES. RECOMMENDED FOR USE IN ALL DIESEL ENGINES.

39 P. A PERSON SHALL LABEL EACH DISPENSER AT WHICH LOW SULFUR DIESEL FUEL
40 IS DISPENSED IN SUCH A MANNER AS TO INFORM THE CUSTOMER OF THE SULFUR CONTENT
41 OF THE DIESEL FUEL BEING DISPENSED. THE LABEL SHALL BE AFFIXED TO THE UPPER
42 SIXTY PER CENT OF EACH FACE OF THE DISPENSER ADJACENT TO THE PRODUCT
43 IDENTIFICATION LABEL, CONTAIN BLOCK LETTERS OF NO LESS THAN TWENTY-FOUR POINT
44 BOLD-FACED TYPE, BE PRINTED IN A COLOR THAT CONTRASTS WITH THE BACKGROUND AND
45 STATE:

1 LOW SULFUR HIGHWAY DIESEL FUEL (500 PPM SULFUR MAXIMUM) FEDERAL
2 LAW PROHIBITS USE IN MODEL YEAR 2007 AND LATER HIGHWAY ENGINES.
3 ITS USE MAY DAMAGE THESE VEHICLES AND ENGINES.

4 Q. IF ANY PERSON TRANSFERS CUSTODY OR TITLE OF A MOTOR FUEL, EXCEPT IF
5 THE MOTOR FUEL IS DISPENSED INTO A MOTOR VEHICLE, THE TRANSFEROR SHALL
6 PROVIDE TO THE TRANSFEREE PRODUCT TRANSFER DOCUMENTS THAT INCLUDE THE
7 FOLLOWING INFORMATION:

8 1. THE NAME AND ADDRESS OF THE TRANSFEROR.
9 2. THE NAME AND ADDRESS OF THE TRANSFEREE.
10 3. THE NAME AND ADDRESS OF THE FINAL DESTINATION FOR THE SHIPMENT.
11 4. THE LOCATION OF THE DIESEL FUEL OR DISTILLATE AT THE TIME OF THE
12 TRANSFER.

13 5. FOR ULTRA LOW SULFUR DIESEL FUEL, THE SULFUR CONTENT THAT THE FUEL
14 MUST MEET.

15 6. IDENTIFICATION OF THE PRODUCT AS ULTRA LOW SULFUR DIESEL FUEL OR
16 LOW SULFUR DIESEL FUEL.

17 7. THE FACILITY ENVIRONMENTAL PROTECTION AGENCY REGISTRATION NUMBER OF
18 THE TRANSFEROR AND THE TRANSFEREE, THE TERMINALS AND ALL PARTIES UPSTREAM.

19 8. AN ACCURATE AND CLEAR STATEMENT OF THE APPLICABLE DESIGNATION OR
20 CLASSIFICATION OF THE FUEL AND WHETHER THE FUEL IS DYED OR UNDYED.

21 R. IF THE TRANSFER OF A MOTOR FUEL IS FROM A TERMINAL, STORAGE
22 FACILITY, OR TRANSMIX FACILITY, THE PRODUCT TRANSFER DOCUMENTS SHALL CONTAIN
23 THE INFORMATION PRESCRIBED IN SUBSECTION Q OF THIS SECTION AND MUST ACCOMPANY
24 THE SHIPMENT TO ITS FINAL DESTINATION.

25 Sec. 2. Section 41-2083, Arizona Revised Statutes, as amended by Laws
26 2005, chapter 104, section 1, is amended to read:

27 41-2083. Standards for motor fuel; exceptions

28 A. Except as provided in subsections C, D, E, F, G, K, L, M and N of
29 this section, a retail seller or fleet owner shall not store, sell or expose
30 or offer for sale any motor fuel, kerosene, oil or other liquid or gaseous
31 fuel or lubricating oil, lubricant, mixtures of lubricants or other similar
32 products if the product fails to meet the standards specified in this section
33 and in the rules adopted by the director.

34 B. A person shall not misrepresent the nature, origination, quality,
35 grade or identity of any product specified in subsection A of this section or
36 represent the nature, origination, quality, grade or identity of such product
37 in any manner calculated or tending to mislead or in any way deceive.

38 C. After consultation with the director of the department of
39 environmental quality, the standards and test methods for motor fuels shall
40 be established by the director of the department of weights and measures by
41 rule.

42 D. Maximum vapor pressure for gasoline that is supplied or sold by any
43 person and that is intended as a final product for the fueling of motor
44 vehicles in a county with a population of one million two hundred thousand or
45 more persons and any portion of a county contained in area A as defined in

1 section 49-541 shall be 9.0 pounds per square inch from and after September
2 30 through January 31 of each year. Fuel used in motor vehicles at a
3 manufacturer's proving ground or a motor vehicle racing event as defined by
4 section 41-2121 is exempt from this subsection.

5 E. From and after September 30 through March 31 of each year a person
6 shall not supply or sell gasoline that exceeds the ASTM D4814 class A vapor
7 pressure/distillation class ten volume per cent evaporated distillation
8 temperature.

9 F. Maximum vapor pressure for gasoline that is supplied or sold by any
10 person and that is intended as a final product for the fueling of motor
11 vehicles in a county with a population of one million two hundred thousand
12 persons or more and any portion of a county contained in area A as defined in
13 section 49-541 shall be 7.0 pounds per square inch from and after May 31
14 through September 30 of each year. Fuel used in motor vehicles at a
15 manufacturer's proving ground or a motor vehicle racing event as defined by
16 section 41-2121 is exempt from this subsection.

17 G. Exclusively for the purposes of transportation conformity and only
18 if the administrator of the United States environmental protection agency
19 fails to approve the applicable plan required pursuant to section 49-406,
20 maximum vapor pressure for gasoline that is supplied or sold by any person
21 and that is intended as a final product for the fueling of motor vehicles in
22 area B as defined in section 49-541 shall be ten pounds per square inch from
23 and after September 30 through March 31 of each year. Fuel used in motor
24 vehicles at a manufacturer's proving ground or a motor vehicle racing event
25 as defined by section 41-2121 is exempt from this subsection.

26 H. Notwithstanding subsections D, F and G of this section, the
27 director of the department of weights and measures in consultation with the
28 director of the department of environmental quality shall approve alternate
29 fuel control measures that are submitted by manufacturers or suppliers of
30 gasoline and that the directors determine will result in either of the
31 following:

32 1. Motor vehicle carbon monoxide emissions that are equal to or less
33 than emissions that result under compliance with subsection D of this section
34 and section 41-2123. In making this determination, the director of the
35 department of weights and measures and the director of the department of
36 environmental quality shall compare the emissions of the alternate fuel
37 control measure with the emissions of a fuel with a maximum vapor pressure
38 standard as prescribed by this section and with the minimum oxygen content or
39 percentage by volume of ethanol as prescribed by section 41-2123.

40 2. Motor vehicle non-methane hydrocarbon emissions that are equal to
41 or less than the emissions that result under compliance with subsection F of
42 this section. In making this determination, the director of the department
43 of weights and measures and the director of the department of environmental
44 quality shall compare the motor vehicle non-methane hydrocarbon emissions of
45 the alternate fuel control measure with the motor vehicle non-methane

1 hydrocarbon emissions of a fuel that complies with the maximum vapor pressure
2 standard as prescribed by subsection F of this section.

3 I. Any alternate fuel control measures that are approved shall not
4 increase emissions of non-methane hydrocarbons, particulates, carbon monoxide
5 or oxides of nitrogen. Alternate fuel control measures approved pursuant to
6 subsection H of this section and this subsection may be used by any
7 manufacturer or supplier of gasoline unless the approval is rescinded more
8 than one hundred eighty days before the first day of a gasoline control
9 period. Manufacturers and suppliers who use an approved alternate fuel
10 control measure shall annually submit a compliance plan to the director of
11 the department of weights and measures no later than sixty days before the
12 first day of a gasoline control period.

13 J. A person shall not sell or offer or expose for sale diesel fuel
14 grade 1, 2 or 4 as defined in ASTM D975 that contains sulfur in excess of:

15 1. FOR LOW SULFUR DIESEL FUEL, five hundred parts per million ~~for use~~
16 ~~in area A as defined in section 49-541.~~

17 2. FOR ULTRA LOW SULFUR DIESEL FUEL, FIFTEEN PARTS PER MILLION.

18 K. A person shall not sell or offer or expose for sale biodiesel that
19 is not tested or does not meet the specifications established by ASTM D6751
20 or any blend of biodiesel and diesel fuel that is not tested or does not meet
21 the specifications established by ASTM D975 and that contains sulfur in
22 excess of five hundred parts per million for use in area A as defined in
23 section 49-541.

24 L. A person who blends biodiesel that is intended as a final product
25 for the fueling of motor vehicles shall report to the director by the
26 fifteenth day of each month the quantity and quality of biodiesel shipped to
27 or produced in this state during the preceding month. A person who supplies
28 biodiesel subject to this subsection shall report the following by batch:

29 1. The percentage of biodiesel in a final blend.

30 2. The volume of the finished product.

31 3. For neat biodiesel, the results of analysis for those parameters
32 established by ASTM D6751.

33 4. For biodiesel blended with any diesel fuel, the results of the
34 analysis of the following motor fuel parameters as established by ASTM D975:

35 (a) Sulfur content.

36 (b) Aromatic hydrocarbon content.

37 (c) Cetane number.

38 (d) Specific gravity.

39 (e) American petroleum institute gravity.

40 (f) The temperatures at which ten per cent, fifty per cent and ninety
41 per cent of the diesel fuel boiled off during distillation.

42 M. The report required by subsection L of this section shall be on a
43 form prescribed by the director and shall contain a certification of
44 truthfulness and accuracy of the data submitted and a statement of the
45 supplier's consent permitting the department or its authorized agent to

1 collect samples and access records as provided in rules adopted by the
2 department. A corporate officer who is responsible for operations at the
3 facility that produces or ships the final product shall sign the report.

4 N. A person shall label dispensers at which biodiesel is dispensed in
5 such a manner as to notify other persons of the volume percentage of
6 biodiesel in the finished product.

7 O. A PERSON SHALL LABEL EACH DISPENSER AT WHICH ULTRA LOW SULFUR
8 DIESEL FUEL IS DISPENSED IN SUCH A MANNER AS TO INFORM THE CUSTOMER OF THE
9 SULFUR CONTENT OF THE DIESEL FUEL BEING DISPENSED. THE LABEL SHALL BE
10 AFFIXED TO THE UPPER SIXTY PER CENT OF EACH FACE OF THE DISPENSER ADJACENT TO
11 THE PRODUCT IDENTIFICATION LABEL, CONTAIN BLOCK LETTERS OF NO LESS THAN
12 TWENTY-FOUR POINT BOLD-FACED TYPE, BE PRINTED IN A COLOR THAT CONTRASTS WITH
13 THE BACKGROUND AND STATE:

14 ULTRA-LOW SULFUR HIGHWAY DIESEL FUEL (15 PPM SULFUR MAXIMUM)
15 REQUIRED FOR USE IN ALL MODEL YEAR 2007 AND LATER HIGHWAY DIESEL
16 ENGINES. RECOMMENDED FOR USE IN ALL DIESEL VEHICLES AND
17 ENGINES.

18 P. A PERSON SHALL LABEL EACH DISPENSER AT WHICH LOW SULFUR DIESEL FUEL
19 IS DISPENSED IN SUCH A MANNER AS TO INFORM THE CUSTOMER OF THE SULFUR CONTENT
20 OF THE DIESEL FUEL BEING DISPENSED. THE LABEL SHALL BE AFFIXED TO THE UPPER
21 SIXTY PER CENT OF EACH FACE OF THE DISPENSER ADJACENT TO THE PRODUCT
22 IDENTIFICATION LABEL, CONTAIN BLOCK LETTERS OF NO LESS THAN TWENTY-FOUR POINT
23 BOLD-FACED TYPE, BE PRINTED IN A COLOR THAT CONTRASTS WITH THE BACKGROUND AND
24 STATE:

25 LOW SULFUR HIGHWAY DIESEL FUEL (500 PPM SULFUR MAXIMUM) FEDERAL
26 LAW PROHIBITS USE IN MODEL YEAR 2007 AND LATER HIGHWAY ENGINES.
27 ITS USE MAY DAMAGE THESE VEHICLES AND ENGINES.

28 Q. IF ANY PERSON TRANSFERS CUSTODY OR TITLE OF A MOTOR FUEL, EXCEPT IF
29 THE MOTOR FUEL IS DISPENSED INTO A MOTOR VEHICLE, THE TRANSFEROR SHALL
30 PROVIDE TO THE TRANSFEREE PRODUCT TRANSFER DOCUMENTS THAT INCLUDE THE
31 FOLLOWING INFORMATION:

- 32 1. THE NAME AND ADDRESS OF THE TRANSFEROR.
- 33 2. THE NAME AND ADDRESS OF THE TRANSFEREE.
- 34 3. THE NAME AND ADDRESS OF THE FINAL DESTINATION FOR THE SHIPMENT.
- 35 4. THE LOCATION OF THE DIESEL FUEL OR DISTILLATE AT THE TIME OF THE
36 TRANSFER.
- 37 5. FOR ULTRA LOW SULFUR DIESEL FUEL, THE SULFUR CONTENT THAT THE FUEL
38 MUST MEET.
- 39 6. IDENTIFICATION OF THE PRODUCT AS ULTRA LOW SULFUR DIESEL FUEL OR
40 LOW SULFUR DIESEL FUEL.
- 41 7. THE FACILITY ENVIRONMENTAL PROTECTION AGENCY REGISTRATION NUMBER OF
42 THE TRANSFEROR AND THE TRANSFEREE, THE TERMINALS AND ALL PARTIES UPSTREAM.
- 43 8. AN ACCURATE AND CLEAR STATEMENT OF THE APPLICABLE DESIGNATION OR
44 CLASSIFICATION OF THE FUEL AND WHETHER THE FUEL IS DYED OR UNDYED.

1 R. IF THE TRANSFER OF A MOTOR FUEL IS FROM A TERMINAL, STORAGE
2 FACILITY, OR TRANSMIX FACILITY, THE PRODUCT TRANSFER DOCUMENTS SHALL CONTAIN
3 THE INFORMATION PRESCRIBED IN SUBSECTION Q OF THIS SECTION AND MUST ACCOMPANY
4 THE SHIPMENT TO ITS FINAL DESTINATION.

5 Sec. 3. Laws 2004, chapter 293, section 5 is amended to read:

6 Sec. 5 Conditional enactment; notice

7 A. Section 41-2124, Arizona Revised Statutes, as amended by LAWS 2004,
8 CHAPTER 293, section 1 ~~of this act~~, is not effective unless on or before
9 November 1, ~~2007~~ 2009 the administrator of the United States environmental
10 protection agency approves a revision to the state implementation plan as
11 defined in section 49-401.01, Arizona Revised Statutes, that incorporates the
12 changes contained in LAWS 2004, CHAPTER 293, section 1 ~~of this act~~.

13 B. Section 41-2124, Arizona Revised Statutes, as amended by LAWS 2004,
14 CHAPTER 293, section 2 ~~of this act~~, is not effective unless on or before
15 November 1, ~~2007~~ 2009 the administrator of the United States environmental
16 protection agency approves a revision to the state implementation plan as
17 defined in section 49-401.01, Arizona Revised Statutes, that incorporates the
18 changes contained in LAWS 2004, CHAPTER 293, section 2 ~~of this act~~.

19 C. The director of the department of environmental quality shall
20 promptly provide written notice to the director of the Arizona legislative
21 council of the following:

22 1. The date of approval of a revision to the state implementation plan
23 that incorporates the changes contained in LAWS 2004, CHAPTER 293, section 1
24 ~~of this act~~ or the failure to incorporate those changes on or before November
25 1, ~~2007~~ 2009.

26 2. The date of approval of a revision to the state implementation plan
27 that incorporates the changes contained in LAWS 2004, CHAPTER 293, section 2
28 ~~of this act~~ or the failure to incorporate those changes on or before November
29 1, ~~2007~~ 2009.

30 Sec. 4. Laws 2005, chapter 104, section 7 is amended to read:

31 Sec. 7. Conditional enactment

32 A. Section 41-2083, Arizona Revised Statutes, as amended by LAWS 2005,
33 CHAPTER 104, section 1 ~~of this act~~ and section 41-2123, Arizona Revised
34 Statutes, as amended by LAWS 2005, CHAPTER 104, section 2 ~~of this act~~, are
35 not effective unless on or before November 1, 2007 the administrator of the
36 United States environmental protection agency approves a revision to the
37 state implementation plan as defined in section 49-401.01, Arizona Revised
38 Statutes, that incorporates the changes contained in LAWS 2005, CHAPTER 104,
39 sections 1 and 2 ~~of this act~~.

40 B. Section 41-2124, Arizona Revised Statutes, as amended by Laws 2004,
41 chapter 293, section 1 and LAWS 2005, CHAPTER 104, section 4 ~~of this act~~, is
42 not effective unless only the condition prescribed in Laws 2004, chapter 293,
43 section 5, subsection A, AS AMENDED BY SECTION 3 OF THIS ACT, is met and
44 notice is provided pursuant to Laws 2004, chapter 293, section 5, subsection
45 C, AS AMENDED BY SECTION 3 OF THIS ACT.

1 C. Section 41-2124, Arizona Revised Statutes, as amended by Laws 2004,
2 chapter 293, section 2 and LAWS 2005, CHAPTER 104, section 5 ~~of this act~~, is
3 not effective unless only the condition prescribed in Laws 2004, chapter 293,
4 section 5, subsection B, AS AMENDED BY SECTION 3 OF THIS ACT, is met and
5 notice is provided pursuant to Laws 2004, chapter 293, section 5, subsection
6 C, AS AMENDED BY SECTION 3 OF THIS ACT.

7 D. Section 41-2124, Arizona Revised Statutes, as amended by Laws 2004,
8 chapter 293, sections 1 and 2 and LAWS 2005, CHAPTER 104, section 6 ~~of this~~
9 ~~act~~, is not effective unless the conditions prescribed in Laws 2004, chapter
10 293, section 5, subsections A and B, AS AMENDED BY SECTION 3 OF THIS ACT,
11 are met and notice is provided pursuant to Laws 2004, chapter 293, section 5,
12 subsection C, AS AMENDED BY SECTION 3 OF THIS ACT.

13 Sec. 5. Conditional enactment

14 Section 41-2083, Arizona Revised Statutes, as amended by Laws 2005,
15 chapter 104, section 1 and section 2 of this act, is effective as prescribed
16 in Laws 2005, chapter 104, section 7, as amended by this act.